

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

RALPH MILLER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-16-354-M
	)	
CAROLYN COLVIN, Acting	)	
Commissioner of Social Security	)	
Administration,	)	
	)	
Defendant.	)	


**ORDER**

On September 8, 2016, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action in which plaintiff seeks judicial review of the final decision of defendant Acting Commissioner of Social Security Administration denying his application for social security disability benefits. The Magistrate Judge recommended that plaintiff's cause of action be dismissed without prejudice for failure to timely and properly serve defendant with process. Plaintiff was advised of his right to object to the Report and Recommendation by September 28, 2016. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 11] issued by the Magistrate Judge on September 8, 2016, and
- (2) DISMISSES this action without prejudice for failure to timely and properly serve defendant with process.

**IT IS SO ORDERED this 4th day of October, 2016.**

  
VICKI MILES-LaGRANGE  
UNITED STATES DISTRICT JUDGE